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HUMAN EVENTS

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News Section

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Reuther Recession: "Don't play footsie with the labor bosses" is the slogan rising above the tumult on Capitol Hill during the past few days. The phrase was coined by Senator Barry Goldwater (R-Ariz.), as he denounced "sweetheart" labor reform proposals (such as that offered by Massachusetts Democrat John Kennedy) and demanded real surgery on the gangrenous power of the Reuthers and Hoffas.

This cry also sums up the even bigger issue today — the recession and how to cure it. For accumulating evidence shows that the avarice of labor bosses, particularly Walter Reuther, has priced commodities out of the market, producing the current customers' strike which makes itself felt throughout the economy.

The best testimony on this subject — even better than the well-founded charges of conservatives — comes from the admissions of the "liberals." For example, Senator Paul Douglas, "liberal" Democrat from Illinois, calls on Reuther to "reconsider" his contract demands in this year's wage negotiations. Douglas wants the price of autos to go down, deeming it a key factor in the recession. That Douglas — long a partisan of the labor bosses — should come out with this appeal has startled the Capital.

Stronger still — former Federal Reserve Board Chairman Marriner S. Eccles, once the darling of the "liberal" economists, exclaimed recently to a Senate committee: "Organized labor has jeopardized its real interest by pricing many of its goods and services out of the market." Eccles sketched a picture of "millions of unemployed, idle facilities, surplus goods of all kinds, while Walter Reuther demands further increases and benefits." Eccles, under Roosevelt and Truman, upheld Keynesian spending theories of handling the economy.

A striking revelation of how "built-in" wage increases have come home to roost has sharply illuminated the economic crisis. All top officials of the hard-pressed Pennsylvania Railroad took an across-the-board cut of ten per cent in salary, April 1. Yet on May 1, rank-and-file employees (strongly union organized) received a four cents-an-hour raise in wages — under a previously negotiated "escalator" clause for the rail industry.

This comes at a time when the plight of Eastern railroads in particular is stirring Congress. For legislators read in financial columns openly expressed fears of receiverships among railroads and a collapse which would have a disastrous effect on business throughout the country.

Similarly, it is pointed out that a cut in the price of steel would ease the manufacturers' situation. But the stark fact is that steel producers may have to up prices, because the steelworkers' union gets another escalator wage raise this coming summer. Such are the inexorable restrictions which clamp the recession more firmly on the country.

This picture is the talk of the town this week, and Washingtonians do not have to be professional economists to trace the trail to the lair of the labor bosses. Hence, some urge that the Labor Rackets Committee stop its diurnal — and by now monotonous — exposures of defalcations of union treasuries by gangster leaders and turn to framing legislation that will curb the excesses of the labor oligarchy. It is the union bosses' power — the legislators well realize — which keeps wages mounting and prices at their present prohibitive level.

While "liberal" Democrats procrastinate, conservatives in both parties — led by Senators Curtis, Goldwater, Knowland and Mundt — demand that this tyrannical power be cut by drastic legislation this session to halt the "Reuther recession."

Republicans and Ike: "Any similarity between the characters and those in real life is purely accidental," cracked one member of the press after the GOP rally May 6, at which Ike addressed an audience of Republican members of Congress. On the surface, it looked like a love feast in which conservative men from Capitol Hill approved the Modern Republican speech given by the President. In that speech, Ike plumped for support of three of his policies: foreign aid, the Reciprocal Trade Agreements and the Pentagon reorganization bill. (The first two of these are highly unpopular among the grass roots; the third, the Pentagon bill, seems to leave the voters cold; very few letters on this proposal come to Capitol Hill, either for or against it.)

Actually, the GOP meeting was no love feast. More than half the Republican members present disapprove of these measures and reportedly will amend the President's proposals drastically. Those present at the meeting, and in touch with members afterward, say that the Presidential speech (televised nationally) "did not change a vote."

Some complained that Ike's discourse did not help the campaigns of GOP candidates for election. Many affirmed that they will "go it alone," differing openly with the White House on these issues, agreeing with Ike on his handling of other matters.

The pity is — said more than one — that Ike did not mention any of the lines of policy (labor, opposition to the dole, etc.) on which the President and the conservatives do agree. Indicative of conservative sentiment at the gathering was the hearty applause greeting House Leader Joe Martin's observation that, to win the elections, "we have to get away from left-wing policies."

Third Party: Not widely noticed in the North but considered of great importance by political insiders in the Capital was the outcome of last week's Democratic primary in Alabama. States' rights Democrats there drubbed so-called "regular" Democrats, gaining control of the Alabama party's executive committee. At stake in the battle was the "loyalty oath," designed to bind Alabama Democrats to the national Democratic party. Victory by the states' righters means that the executive committee will do away with this ruling, leaving Alabama free to bolt the far-left, pro-"civil rights" ticket that the Democratic convention is expected to nominate in 1960.

(In the Presidential election of 1948, states' righters controlled the party in Alabama, with the result that the Truman-Barkley ticket was not listed on the ballot there.)

This move by Alabama conservatives, say Capital politicians, is portentous for both major parties in 1960. For it appears to be part of a major movement in the South to lend support to a third party in the next Presidential election, creating the possibility that neither the Democrats nor the Republicans will be able to achieve a clear majority in the Electoral College. The election would then be thrown into the House of Representatives, where — because each state has only one vote — the bargaining power of the South would be vastly increased.

Recalled is the move earlier this year by the state legislature of Georgia, providing that the slate of Electors there should be chosen without regard to national candidates — a move which will leave the Georgia Electors free to cast their votes for a third party candidate. In the wake of the states' rights victory in Alabama, a similar move is expected there.

Gubernatorial candidate John Patterson, who led the primary voting for Governor, is expected to hold his margin in a run-off contest with the second-place candidate. This result would be a blow to Alabama labor bosses, who withheld their endorsement from Patterson's candidacy. The entire primary was a stinging defeat for Alabama's left-wing Democratic hierarchy — Senators Hill and Sparkman and Governor Folsom — all of whom bitterly opposed the states' righters and their proposal to jettison the loyalty oath.

Pennsylvania Story: Harold Stassen still rides, but his pudgy profile scarcely rises above an indifferent crowd, as the primary election (May 20) approaches. Stassen is running for the GOP nomination for Governor in Pennsylvania.

This is the picture obtained by a HUMAN EVENTS staff member during the past few days, on a trip to Philadelphia:

Several months ago when he announced his candidacy, Childe Harold privately told GOP higher-ups in Philadelphia that he had a slush fund of \$600,000. They replied that he'd better get \$1,250,000 if he hoped to make an impression. Today, all signs indicate he's cutting down on expensive forms of propaganda and that his activities have drawn little public notice. Nor is he waging a "fighting campaign"; so far he has not attacked the state organization endorsed candidate, Arthur McGonigle of Reading.

The 52 GOP ward bosses of the Quaker City have come out for McGonigle. This assumes importance, for the press forecasts a very light vote in the primary. "Primary day," runs the aphorism, "is politicians' day." The ward bosses, by any reasonable view, should have their way, unless Harold — with a new slush fund — stages an effective whirlwind finish.

● What stirs Philadelphians far more than the political campaign is the deteriorating racial situation in their city. In Morley Cassidy's article, "The Most Explosive Race Problem is in the North" (see HUMAN EVENTS for November 9, 1957), the rise of the Negro population and the increase in crime and frictions in Philadelphia were stressed. Since then, crime has increased.

Recently, for example, the Quaker City has been greatly aroused by the murder of a peaceful University of Pennsylvania student at the hands of five young colored boys. The usually staid *Bulletin* came out with an indignant editorial, entitled "Control of Savagery," calling for tougher law enforcement. The editorial drew numerous approving letters. In one, a Philadelphian lamented that his city had acquired the name of "The Jungle City." And another said: "Those savage hoodlums who murdered an innocent student should be given the maximum penalty for their dastardly act."

Ives: Reliable sources say that incumbent Senator Irving Ives of New York, a Modern Republican, may well bow out of the race for re-election this year. This report comes right after the announcement of former GOP Chairman Leonard Hall, a conservative, that he will seek his party's gubernatorial nomination in the Empire State this year.

It is recalled that Ives several months ago said his running this year would depend on two things: the state of his health and the identity of the GOP candidate for Governor. Today, Ives looks quite well. But Capital observers wonder if the Senator would find it advisable to run on the same ticket with a conservative.

His decision might well depend on whether Nelson Rockefeller — who has been acting coy about his running for the GOP gubernatorial spot — gets into the race. Ives would undoubtedly find Rockefeller, as a Modern Republican, preferable to Hall.

If not Ives as the Senatorial candidate — ask Republican dopesters — then who? Wide speculation about the complex considerations involved in the key New York battle is already well under way in the Capital.

Supreme Court: FBI Director J. Edgar Hoover, in recently published testimony before a House subcommittee, disclosed that "court decisions" have struck down 49 of the 108 convictions of Communists found guilty

under the Smith Act. Hoover quoted a "top Communist functionary" as saying, concerning the Supreme Court's *Yates* decision, that it was "the greatest victory the Communist party in America has ever received. This decision will mark a rejuvenation of the party in America. We've lost some members in the last few years but now we're on our way again."

"Crime and subversion have become critical challenges," said the respected FBI chief, "due to the mounting success of criminal and subversive elements in employing loopholes, technicalities, and delays in the law to defeat the interests of justice." The courts, he added, must "come to grips in a realistic manner with facts and join all forces for good in protecting society."

● "Liberals," it is noted, have accused conservatives who back the Jenner-Butler bill to curb the Supreme Court of reversing themselves — because in 1937 conservatives successfully opposed the Court-packing plan of President Roosevelt. The fallacy of this "liberal" argument was laid bare last week by the respected Baltimore *Sun* columnist, C. P. Ives.

"Certainly," Ives wrote, "the thing to note in the present congressional procedure is that it, unlike the 1937 effort, is within the letter of the Constitution. The Court, the Executive and the Congress each has a role assigned in our practice. And the role of each includes resistance to extra-role ventures by the other two."

Labor Front: Increasingly noticed in the world of labor is the phenomenon of labor unions getting a taste of their own medicine — in the form of picket lines being thrown up in front of union offices.

● A well-publicized instance of such picketing was that of James P. Sweeney, an AFL-CIO organizer who, after 21 years of service with the union, had been fired from his job. His treatment, as one of the 215 organizers that the AFL-CIO summarily ousted last year, dramatized the fact that the "liberal" leaders of labor are not adept at practicing what they preach (see HUMAN EVENTS for January 27, 1958).

● Similarly, pickets before the United Automobile Workers' "Solidarity House" in Detroit hurled the reproach of hypocrisy at Walter Reuther and his underlings. The protesting UAW members charged the union with causing them to lose their jobs, through "discriminatory union-arranged seniority plans."

● Washington's 14th St. was the backdrop for yet another tableau of pickets marching in front of their own union's offices. Members of the Masters, Mates and Pilots Union picketed outside the international headquarters of the union, located at 711 14th St. N.W., a block from the Willard Hotel. HUMAN EVENTS staffers on hand to interview the picketers got this story from picket captain Robert Liddy:

The demonstration was staged by members of MMP Local 88, which includes New York City, as part of a three-cornered controversy involving the international and dissident elements in the local. For a number of years, Liddy said, the members had had a leadership that engaged in "backdoor shipping" — preferential treatment of some members seeking assignments, at the expense of others;

two officers were convicted by a New York jury of taking bribes to engage in this practice. A group of Local 88 members recently acted to suspend the entire slate of union officers, seized control of the union and installed a temporary board.

At this point the international union stepped in. Asserting that the action of the "insurgents" in ousting their officials was counter to the MMP constitution, the international appointed a trustee to administer the affairs of the union. (This action has been used by many unions, such as the Teamsters, to maintain control of its locals.) It was this move that the pickets were on hand to protest.

Local 88's temporary officials were turned down in their legal bid to oust the international's trustee, whom they accuse of being in collusion with the corrupt officials previously in power. Final resolution of the case is still pending in the New York courts, and preliminary inquiries have been initiated by the McClellan Committee.

To Win the Cold War: Senator Styles Bridges (R.-N.H.) lashed out at appeasement policies and current demands for a "Summit" conference, at the annual luncheon of the American Jewish League Against Communism, held in New York last week. In a review of "Summit" history, Bridges stated that "the sum total of these results is that after 19 top-level conferences, 40 agreements were made and only three agreements were kept by the Soviet Government."

Bridges also scored foreign aid to so-called neutralists and "national Communists." The New Hampshire Senator declared that "neither Yugoslavia, nor Poland, nor India supported the United Nations forces in Korea. They vote in the United Nations almost as a bloc with the Soviet Union. India oppresses Kashmir and Pakistan. Tito recently offered \$15 million to Indonesia's pro-Communist President Sukarno. Gomulka has not relaxed the grip of communism on his people."

Finally, Bridges struck out hard at the doctrine that America must sit and wait for the Soviet Union to blast its cities before it will take action.

"It is time," he said, "we stopped permitting Russia to assume that we will never act until she strikes the first blow. This gives her the tremendous advantage of choosing the time, place and method of dealing surprise blows at the free world."

Left-Wing Capitalist: The Nation was shocked last week when Cleveland financier Cyrus Eaton launched a vicious attack on J. Edgar Hoover's FBI, charging that America's remaining Communists were primarily those "on the payroll of the FBI."

In the Capital, knowledgeable researchers express no surprise at Eaton's statement, for they are familiar with his long record of advocating appeasement of the Soviet Union. It was Eaton, for example, who sponsored the notorious "Pugwash Conference" in Nova Scotia last year, at which US, Soviet and other scientists issued a manifesto in line with Red propaganda on nuclear tests (see HUMAN EVENTS for July 20, 1957).

Fulton Lewis, Jr., following Eaton's blast at the FBI last week, devoted part of a broadcast to the financier. In December, 1955, Lewis pointed out, the Moscow newspaper *Izvestia* acclaimed Eaton for his "sensible observations"

on coexistence. Moreover, Eaton last fall authored an article in *New Times*, a Communist magazine published in Moscow. Entitled "Learn to Live Peacefully," Eaton's article praised Soviet "progress," and stated that it was pleasing "to observe a nation of such sturdy, healthy people enjoying more and more of the good things of the world."

In the *Progressive* magazine for March, 1958, Eaton declared that international tensions today are caused chiefly by the United States. In December, 1957, he urged that America end what he termed its "anti-Russian belligerence."

Alfred Kohlberg, a prominent businessman and anti-Communist, wrote Eaton a letter, earlier this year, suggesting that the financier was being "dropped" by chemist Linus Pauling, the well-known Communist fronter who reportedly set up the Pugwash meetings. Pauling, said Kohlberg, was afraid that Eaton's increasingly blatant pro-Soviet statements would render him "useless as a front." After hobnobbing with the physicists and other scientists at Pugwash, Kohlberg said, Eaton reportedly started "taking himself seriously," and forgot that his function "was just to be the checkbook."

Education Front: Recommended reading for conservatives—at least for four essays it contains—is the recently published paperback book, *Second-Rate Brains* (edited by Kermit Lansner; Doubleday; \$1.50). This survey of US and Soviet education in the space era contains two blistering attacks on "progressive education"—one by Rear Admiral Hyman Rickover, and another by Professor Arthur Bestor.

It also contains potent ammunition for opponents of the theory that US teaching and "basic research" need to be bolstered by Federal outlays, in order that American

education can catch up with the allegedly superior scientific accomplishments of the Soviet Union.

In a view dissenting from the uproar for Federal spending, physicist Donald J. Hughes, recently returned from a trip to the Soviet Union, states: "My feeling is that the Soviets certainly do not lead us in basic research and in fact in most of its branches lag behind us."

And, in an article entitled "The Perils of Panic," secondary school principal William H. Cornog warns that improvement of the teaching profession is a task involving intellectual *quality*, in teaching and in the Nation as a whole, and that "it is one which cannot be solved by a 'crash' program of increased teachers' salaries."

Book Event: *I Was a Slave in Russia*, by John Noble; Devin-Adair; \$3.75.

John Noble, a young Detroitier taken prisoner by the Russians in 1945, was shuttled from prison to prison, ending up finally in Vorkuta, 50 miles above the Arctic Circle. While the Russians kept his name out of their files and refused to acknowledge his US citizenship, he was kept working in the mines pushing two-ton coal cars, even after his weight had dropped from 155 to 95 pounds.

Noble tells the whole astounding story of his life in Vorkuta, including the famous slave uprising in 1953 after Beria's arrest. Through the contact he established with guards and administrators after he became proficient in the Russian language, the author learned of the dissatisfaction that exists throughout the Russian empire. This forms the basis for his belief that there will soon be uprisings, not only in the prison camps but all over Russia.

Shortly after his return to the United States, Noble spent over two weeks in Washington briefing State Department officials on all he saw and heard. He emphasizes that concessions of any kind on our part are unnecessary in dealing with the Communists. The Soviets' own internal weakness, he believes, due to political instability as well as economic trouble, gives us a priceless opportunity to call their bluff.

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Article Section

Printed in Two Sections

SCHOOL INTEGRATION — FOUR YEARS AFTER

The South vs. the High Court's 1954 Ruling

By JAMES J. KILPATRICK

IT HAS BEEN four years now, come May 17, since Chief Justice Warren gazed upon a packed courtroom and began reading the brief opinion we have come to know as *Brown vs. Board of Education*. In the whole history of the Supreme Court of the United States, no single decision has had an immediate impact more profound than this one, or created more controversy over a wider area, or fostered more bitter resentments. Those who support and defend the Court's opinion might accept those superlatives, but would contend that no decision ever has accomplished greater social good. However the School Cases are viewed, pro or con, few persons would question their surpassing place in the judicial history of the United States.

The point merits brief elaboration. Ask any freshman law student to name a dozen great landmark cases, and he probably would begin with *Marbury vs. Madison*, touch upon *United States vs. Judge Peters*, lump together *Fletcher vs. Peck* and the Dartmouth College Case, then emphasize *McCulloch vs. Maryland*, *Gibbons vs. Ogden*, and *Martin vs. Hunter's Lessee*. Your student certainly would include *Dred Scott* in his list, and perhaps nominate the Slaughterhouse Cases from the Reconstruction Period. The NLRB decisions of April, 1937, followed a year later by the sweeping pronouncements of *United States vs. Darby*, and still more recently by the Tidelands decision and the *Watkins* case—all these surely are landmarks.

Yet none of these opinions quite matches *Brown vs. Board of Education*, and the reasons why this is so go to the heart of this essay. The people—the five and a half million American human beings of 1803—really had no great interest in Mr. *Marbury's* appointment as a justice of the peace; the profound implications of Marshall's assertion of judicial authority did not affect them personally. In the same way, the Supreme Court's declaration of power to invalidate state laws, as in *Cohens* and *McCulloch*, touched few persons intimately. The man in the street of 1824, reading the *Gibbons* case, had no vast concern for new doctrines of interstate commerce. Questions of state contracts, fugitive slaves, Federal taxation, even the issuance of currency

—momentous as these decisions were, they were largely impersonal in their application. Seldom did these opinions upset institutions of long standing; and in almost every case, cogent reasons of law were advanced to support them.

The school cases of May 17, 1954, fall in a class by themselves. Here the Supreme Court held that the Fourteenth Amendment prohibits to the states the power of maintaining racially separate public schools; and, in a companion case, the Court held it “unthinkable” that the Constitution imposes a lesser inhibition on the Federal Government in Washington. (As Judge Ralph Catterall has remarked, what the Court held to be unthinkable, until that day had been universally thought.) The effect of the opinion was to wipe out an understanding of the Fourteenth Amendment that had prevailed for 86 years.

The ruling struck down the school segregation laws of 17 states and the District of Columbia; it immediately, personally and directly affected the lives of millions of school children and their parents. And the Court accomplished all this not on the basis of law, but upon “the extent of psychological knowledge.” Members of the Court, agreeing to the Brown opinion, jettisoned some of the oldest rules of judicial construction; they usurped the power reserved to the states to amend the Constitution, and they substituted their own notions of desirable public policy for the plain meaning of the Constitution they were sworn to uphold.

SO VIOLENT an explosion must cause vast changes. It is entirely too soon to appraise these consequences fully; and those of us in the Old South, attempting to cope with what is seen as the devastation of a social order, are doubtless the wrong ones to attempt an appraisal anyhow. For the South, these four years have been like the day after an earthquake: the ground still trembles, and the damage may be more or less severe than it seems. Looking back, one senses a blur of names and faces: Autherine Lucy, Martin Luther King, the bear-like bulk of Thurgood Marshall; Orval Faubus, and Judge Davies, and the Clinton Eleven. One remembers, too, the torrent of

words that has flowed from the South's problems — pamphlets, books, interviews, speeches, 150 major laws and resolutions adopted in Southern legislatures. The file of magazine articles alone is overwhelming. We have wondered wearily when, if ever, our adversaries would stumble upon something else to write about; but the subject is so complex, and its implications so grave, that the flood of comment rolls on.

Let me suggest eight areas of impact that might be considered. I put them down in no special order: (1) the schools themselves; (2) the future of education and other public institutions in the South; (3) white and Negro relations; (4) population patterns; (5) public opinion; (6) politics; (7) international relations; and (8) law.

The 17 states and the District of Columbia affected by the School Cases have a public school enrollment of some 9,431,000 white pupils and 2,922,000 Negro pupils. Their school systems are subdivided into school districts, of which 3,000 districts are biracial. The fourth anniversary of the opinion finds approximately 760 of these districts "integrated," and 2,240 not integrated. I put the word "integrated" in quotation marks to suggest that, in some of these districts, integration has been accomplished in the barest token degree: one Negro pupil among 6,800 in Winston-Salem, N. C., four among 7,700 in Charlotte.

The statistics on this whole subject are deceptive, and need to be examined with care. When it is said that two million white children and 350,000 Negro children are now in "integrated situations," it should also be said that except for nine districts in Arkansas, three in North Carolina and three in Tennessee, all these integrated situations are in border states and in the District of Columbia. Four years after the decision, not a single public school is racially integrated in Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi or Louisiana.

WHAT CARRIES perhaps the greatest significance is the fact that the trend toward voluntary integration has all but stopped. Of the 760 school districts now classified as integrated, 537 were integrated by the fall of 1955, and 723 were integrated by the fall of 1956. The movement now has stalled. Except for a few mop-up districts in fringe areas, the advance of integration will move henceforth an inch at a time. Court orders, directed at resentful defend-

ants and backed by Federal force, will be required, and these will have to be carried out in an atmosphere not of acceptance but of active or passive hostility. There is a maxim that no law can be effective when it is imposed upon a community against its will; and when such imposition is attempted, it is not called law; it is called tyranny. It is in this light that the Court's decrees are viewed over most of the remaining unintegrated districts.

How well has integration succeeded in the 760 districts where it now obtains? In some areas, surely, it appears to have worked quite well indeed. For the most part, these are border areas in which the Negro school population is relatively small, or they are areas having relatively little identification with a peculiarly Southern way of life. In other areas, such as Washington, D. C., it is difficult to weigh the picture because the picture changes so rapidly; the District's schools are now more than 71 per cent colored, and in lower elementary grades the figure approaches 80 per cent. Many of the District's schools, for reasons of residential geography, thus are virtually segregated all over again.

Elsewhere, in some of the more critical areas, the Court's social experiment is not going too well. Correspondents of the Southern School News, interviewing white parents and teachers in integrated localities in Arkansas, Tennessee and North Carolina, found opinion still resentful, still unchanged. Even the minute degree of race-mixing that now obtains in these areas has been accepted with reluctance and with a helpless sense of resignation to a distasteful inevitability.

It will be recalled that two of the school districts that figured in the original School Cases were Clarendon County, S. C., and Prince Edward County, Va. Notably, both districts remain fully segregated to this day, and for the same reason: if Negro plaintiffs wish to push their victory at court to a showdown at the schoolhouse, all public schools in the two localities will be abandoned. In each case, plans are far advanced for the establishment of private schools for white children. What would become of the Negro children is uncertain. The implications of so drastic a decision can merely be acknowledged here; it must suffice to say that the prospect of closing deeply cherished schools is a miserably unhappy one all around, and represents to the white parents and taxpayers only a final desperate choice between evils.

This willingness to abandon a public facility, as a last resort, in preference to seeing it integrated, is re-

flected elsewhere in the South today. I am advised that few municipal swimming pools, if any, have been constructed in the unyielding South in the past four years. No new municipal golf courses have been opened in these states, and several municipal courses, indeed, have been abandoned and sold. Greensboro, N. C., is the most recent city to take this step, and the decision is all the more notable in Greensboro because of the generally "liberal" political climate that obtains there. To replace such public facilities, private recreational clubs are multiplying across the South at a phenomenal pace. Instead of calling upon government for a swimming pool and a tennis court, these groups are providing their own, at their own expense. Wholly apart from the integration issue, this is a marvelously healthy trend.

What is not healthy at all, and is to be most keenly regretted, is the palpable decline in white and Negro relationships across much of the South. This decline is not to be charted in anything so measurable as interracial violence. We have experienced, thankfully, very little of this so far. Indeed, I would imagine there are more incidents of interracial violence on any Saturday night in Brooklyn than the whole of Virginia would experience in a year. We are too far apart down here for that. And this apartness is growing. The Brown decision served to snap old lines of communication; it swept away the social foundation on which white and Negro could dwell tolerably together.

PRIOR TO May 17, 1954, the Negro's status in the South was that of a subordinate. Now, it may have been wrong for the white Southerner to have thought of the Negro in such terms — probably it was; you grow up with such things — but at least a subordinate relationship is a familiar and normal relationship, known to every man who has a boss over him. There are ground rules in such a relationship; men know where they stand. In the South, that status has abruptly shifted; the Negro is seen now as plaintiff in a lawsuit, as party litigant, an antagonist. Where once we had thought of our society as Negro *and* white, now the judicial earthquake has tumbled up a new relationship of Negro *versus* white, as if we met in pleadings only. In individual cases, of course, a warm affection still binds countless whites and countless Negroes, but class-wise, or group-wise, the dividing gulf grows wider.

The impact of *Brown vs. Board of Education* has not been felt in the South alone. Beyond question,

the School Cases have contributed greatly to an acceleration of population movements. Here, again, many of the statistics are uncertain and deceptive, but it seems evident that thousands of Southern Negroes, motivated in part by an impression of their changed status, or by an awareness of mounting tensions, are moving from the rural South. For many of them, it has been a bitterly disillusioning experience, and some of them, weighing the open segregation of the South against the mean hypocrisy of the North, have come home again. They are few. If the massive migration has slowed, it remains impressive; and in such cities as Washington and St. Louis, white residents are fleeing before the tidal wave. In the past seven years, Chicago's Negro population has leaped from 277,000 to 740,000, St. Louis's from 108,000 to 235,000, and Washington's from 187,000 to upwards of 375,000. The census of 1940 found only 20,394 Negroes in Gary, Ind. Now there are 61,000.

Where public opinion stands on all this, I cannot say. Professional polls seldom ask the right questions. But I hope not to exhibit too much bias, hated word, by venturing the thought that the South's position is gaining sympathetic support on two fronts. It seems to me we are hearing far more informed criticism of the Court's ruling, as a legal opinion, than we were hearing two or three years ago; when so eminent a jurist as Learned Hand suggests, in the most thinly veiled terms, that the Court acted as a super-legislature in the Brown case, mere laymen in the South are bound to experience gratification.

Secondly, it seems to me that as Northern cities experience at first hand the social meaning of large Negro populations, more persons will come to understand something of the white Southerner's objection to placing his 14-year-old daughter in an integrated high school. What may come of this trend in opinion, if it is a trend, I have no way of predicting.

The confusion of sentiments and population changes most surely will be reflected, however, in the face of partisan politics. Whenever the Southerner hoists a tentative hand these days, feeling for rafters above him, he discovers he has no political roof over his head. That, too, has been blown away. Senators Paul Douglas and Hubert Humphrey, among others, are vocally willing to read the South out of the Democratic party. Mr. Eisenhower effectively read the South out of the Republican party at Little Rock. There is not a prospective candidate of any stature in either party for whom the South willingly or happily would cast its ballot now.

Senator Kennedy might be the most acceptable Democrat with a prayer of winning his party's nomination, but the prospect is that even Mr. Kennedy would be bound to a platform, and committed to a campaign, that would be anathema to the South.

The realities of partisan politics are such that with only two well-organized parties in the field, key Negro blocs in key states must be ardently courted. The South will have to be damned—regretfully damned, perhaps, but nonetheless consigned to outer darkness. Under these melancholy circumstances, the opportunity would seem to be at hand for Southerners to take the lead in forming a new conservative party. For a number of reasons, too complex to go into here, little is likely to materialize in this direction. The spark hasn't been struck.

The seventh area of impact in my notes is headed "international relations." The alleged consequences here rest largely upon hearsay evidence, or at least upon evidence I find it difficult to appraise. We of the South are constantly told what singular damage is done abroad by our dreadful customs; we are advised that *Brown vs. Board of Education* could have been justified, apart from law or sociology, in terms of diplomatic advantage. If the people of Little Rock were appalled by Mr. Eisenhower's army last fall, it is said the people of New Delhi were even more greatly aggrieved.

ALL THIS SEEMS to me unlikely, or at least irrelevant. Perhaps the people of India, or of Burma or Ceylon, are so ignorant, or so gullible, that the South's practice of school segregation is seen as an oppressive act far worse than anything which exists in Soviet Russia—or, for that matter, in their own caste-conscious backyards. Perhaps. But if these people are so blind to truth that they cannot distinguish between the land of the free in the South and the home of the slave in Siberia, nothing can be expected to open their eyes. More than this: the Southerner scarcely can be criticized very harshly if he places the conceived welfare of his own child above the supposed good opinion of Mr. Nehru. And most of all: it is a fair argument that it is infinitely more important to preserve the Constitution at home than to woo some doubtful friends abroad.

That leads me finally to the impact that seems greatest of all: what is happening to law. In retrospect, it may be seen that *Brown vs. Board of Education* set off a wave of judicial tremors unmatched in the Court's history. It was the first in a series of opinions that have placed the established rights of society, and the police powers of the state, at the mercy of the supposed rights of the individual. After *Brown*, the deluge: *Nelson*, *Watkins*, *Sweazey*, *Schwartz*, *Konigsberg*, *Mallory*, *Yates*, *Slochower*—

the hooves of a roughshod Court have trampled over a dozen areas of law that once were thought inviolate. In this process, the reserved powers of the states have gone glimmering, and an attempt has been made to reduce Congress to a sputtering impotence. The Negro, the rapist, the Communist—these are the High Court's darlings now; and the white man, the law officer, the foe of subversion lie equally victims of the Court's encroachments.

These have not been happy years for the South—not for the white Southerner, and I suspect, not for his black brother either. But we survive. Both races in the South fortunately are characterized by a vast and almost boundless patience; we share a certain genius for procrastination, and facing what often seems to be a crisis, we sometimes are able to resolve the urgency by what John Randolph called a policy of judicious neglect. It may be, in time, that a new relationship of agreeable stalemate will provide us an acceptable *modus vivendi*. Each race needs the other, at least in terms of the Southern economy, and one day the process of gradual adjustment halted by the Court will have to be resumed.

But on this particular issue of public schools, the white South has not the slightest intention of yielding; and the Negro leadership seems determined to press its legal advantage at any consequence. Both sides, looking to the autumn, are a little apprehensive. We do not know what will happen, but we do know this: over the past four years, the apostles of integration have won the easy ground; and now, for good or ill, the easy ground is about used up.

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